

FILED

UNITED STATES COURT OF APPEALS

MAY 14 2015

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOHN THAT LUONG, AKA Cuong Quoc
Dao, AKA John Dao, AKA Duong, AKA
Johnny, AKA That Luong, AKA Ah Sing,
AKA Ah Sinh, AKA Thang, AKA Thanh,
AKA Tony,

Defendant - Appellant.

No. 15-15777

D.C. Nos. 4:12-cv-05039-JSW
4:96-cr-00094-JSW-01

Northern District of California,
San Francisco

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

The motion of appellant's appointed counsel, Ethan A. Balogh, Esq., to be relieved as appellant's counsel of record and to appoint new counsel is granted.

See 9th Cir. R. 4-1(e). Counsel will be appointed by separate order.

New counsel is appointed for the purpose of deciding whether to file an optional request for a certificate of appealability ("COA") pursuant to Ninth Circuit Rule 22-1(d) and, if counsel concludes that such request is warranted, to file the optional request for a COA. If the court grants appellant's request for a COA, appointment of counsel will continue on appeal.

The Clerk shall electronically serve this order on the appointing authority for the Northern District of California, who will locate appointed counsel. The appointing authority shall send notification of the name, address, and telephone number of appointed counsel to the Clerk of this court at counselappointments@ca9.uscourts.gov within 14 days of locating counsel.

Within 60 days of appointment of new counsel, appellant shall either file an optional request for a COA or a letter indicating that no COA request will be filed.

Counsel Balogh shall, within 7 days of the date of this order, notify appellant that he has been relieved as appointed counsel and shall provide appellant with a copy of this order.